



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

OCT 17 2001

DOT-E 12726

EXPIRATION DATE: August 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Transport Association (ATA)
Washington, DC
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain Division 2.2 gases used as fire suppression systems in non-DOT specification cylinders and DOT 4DA and 4DS cylinders. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.309 in that the internal volume exceeds 1100 cubic inches, pressure may exceed 241 psig and 4DA and 4DS cylinders are not authorized as fire extinguishers and the marking requirements of § 172.301(c) are waived.
5. BASIS: This exemption is based on the application of Air Transport Association dated May 9, 2001, submitted in accordance with § 107.105 and the public proceedings thereon.

OCT 17 2001

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Fire extinguishers <i>containing compressed or liquefied gas</i>	2.2	UN1044	n/a

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT 4DA and 4DS cylinders and non-DOT specification cylinders authorized by DOT-E 5861, 6071, 7026, 7945, 8495, 10555 and 10990 and complied with the provisions of the applicable exemptions.

b. OPERATIONAL CONTROLS - This exemption may only be used by ATA members and associate members, identified in the application dated May 9, 2001, for the transportation of fire suppression systems. Revision or update of the membership may be filed with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Transportation is limited to cylinders used as part of a fire suppression system on aircraft.

d. The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

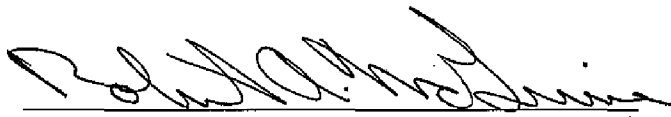
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 17 2001

(DATE)

OCT 17 2001

Continuation of DOT-E 12726

Page 4

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW(01)